

97 Box 44 - JGR/Pro Bono (3) – Roberts, John G.: Files
SERIES I: Subject File

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name ROBERTS, JOHN: FILES

Withdrawer

MJD 8/6/2005

File Folder JGR/PRO BONO (3 OF 18)

FOIA

F05-139/01

Box Number 44

COOK

12MJD

DOC NO	Doc Type	Document Description	No of Pages	Doc Date	Restrictions	
1	LETTER	GRANT MACDONALD TO FRED FIELDING RE LEGAL MATTER	1	2/16/1984	B6	740
2	LETTER	HESSLER, STRAMER & ELSE TO GRANT MACDONALD RE CIVIL CASE	1	8/16/1977	B6	741

Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]

B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

E.O. 13233

C. Closed in accordance with restrictions contained in donor's deed of gift.

THE WHITE HOUSE

WASHINGTON

February 13, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Request by Congressman Daniel That
The President and Mrs. Reagan Sign
Olympics Statement

M & M Mars, the candy people, are a sponsor of the Olympics. Indeed, they are the "official candy" of the 1984 Olympic Games. Congressman Dan Daniel (D-VA) brought representatives of M & M to see the President last fall, and the M & M people presented the President with an Olympic candy jar. At that meeting the President also agreed to participate in M & M's "Sign Up America" project to support the Olympics, although it is not clear to what extent the details of the project were explained to the President. Daniel has now sent B. Oglesby parchments for the President and First Lady to sign. The parchments contain a quotation from Jesse Owens, the slogan "Sign Up America," and the statement "We pledge our support for the 1984 Olympic Games and wish success for our U.S. Team." Oglesby has asked for our guidance.

I contacted Vivian Anderson on Daniel's staff for more details. According to Anderson, M & M and other Olympics sponsors plan to collect signatures to the above-quoted pledge from millions of citizens across the country. On opening day, the Jaycess and the U.S. Olympic Committee will present a scroll with the signatures to the U.S. Olympic Team, as a show of support. M & M has also agreed to donate \$0.10 to the U.S. Olympic Committee for every signature to the pledge. Anderson, after checking with M & M, assures me that the company will not use the parchment itself or the fact of the signatures in any commercial advertising.

I recommend advising Oglesby that we have no objection to the President and the First Lady signing the documents, provided that Congressman Daniel and the M & M people are forewarned that the documents may not be used in any way in connection with advertising by M & M. A memorandum to Oglesby is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

February 13, 1984

MEMORANDUM FOR M. B. OGLESBY, JR.
ASSISTANT TO THE PRESIDENT
FOR LEGISLATIVE AFFAIRS

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Request by Congressman Daniel That
The President and Mrs. Reagan Sign
Olympics Statement

You have asked for our views on Congressman Dan Daniel's request that the President and the ~~the~~ First Lady sign parchment documents submitted by Daniel pledging their support for the 1984 Olympics and the U.S. Olympic Team. Conversations between my staff and that of Congressman Daniel have established that the signatures are sought as part of an effort by Olympics sponsor M & M Mars Company to obtain signatures to the pledge from citizens across the country. The signatures are to be presented on opening day by the Jaycees and the U.S. Olympic Committee to the U.S. Team. M & M Mars has agreed to donate \$0.10 to the U.S. Olympic Committee for every signature obtained.

We have no objection to the President and the First Lady signing the documents, provided that Congressman Daniel is reminded, in writing when the documents are delivered to him, that the documents themselves or the fact that the Reagans signed them may not be used in any way in advertising by M & M Mars or any other promotional activity to benefit M & M Mars.

FFF:JGR:aea 2/13/84

cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 1Name of Correspondent: M. B. Oglesby, Jr.☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Forwards request from Dan Daniel
for signatures of the President and the First
Lady on two Parchments to be used in
1984 Olympics

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>WHOU</u>	ORIGINATOR	<u>84.01.31</u>			<u>1 1</u>
<u>CWAT 18</u>	Referral Note: <u>D</u>	<u>84.01.31</u>		<u>S</u>	<u>84.02.11</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>

ACTION CODES:

A - Appropriate Action
 C - Comment/Recommendation
 D - Draft Response
 F - Furnish Fact Sheet
 to be used as Enclosure

I - Info Copy Only/No Action Necessary
 R - Direct Reply w/Copy
 S - For Signature
 X - Interim Reply

DISPOSITION CODES:

A - Answered
 B - Non-Special Referral
 C - Completed
 S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: Parchments (2) attached

Jan 27 84 M.B. Oglesby memo to Fred
Fielding

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

ID # 200496

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

PROCES

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD)

84/01/25

Name of Correspondent: Dan Daniel☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Forwards a parchment document for the President & Mrs. Reagan to sign. Indicates that he mentioned the parchment to the President and the President said to send it along for signature. Parchment shows support for 1984 Olympics.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>LA OGLE</u>	<u>ORIGINATOR</u>	<u>84/01/26</u>			<u>1 1</u>
<u>Cu Hall</u>	<u>A</u>	<u>84/01/31</u>			<u>1 1</u>
<u>Cu AT 18</u>	<u>DD</u>	<u>84/01/31</u>			<u>284/12/11</u>

ACTION CODES:

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DISPOSITION CODES:

A - Answered C - Completed
B - Non-Special Referral S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: ~~LA has parchments~~

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THE WHITE HOUSE

WASHINGTON

January 27, 1984

MEMORANDUM FOR:

FRED FIELDING

FROM:

M. B. OGLESBY, JR. 

SUBJECT:

Request for the President's Signature
on a Parchment to be Used in 1984 Olympics

In the attached letter, Congressman Dan Daniel (D-VA) asks for the signatures of the President and the First Lady on two parchment documents to be used on opening day of the 1984 Olympics to show their support of our teams.

Please advise me how to respond to Congressman Daniel, or let me know if you prefer to acknowledge the letter directly.

Thank you.

DAN DANIEL
5TH DISTRICT, VIRGINIA

2388 RAYBURN BUILDING
WASHINGTON, D.C. 20515
(202) 225-4711

ADMINISTRATIVE ASSISTANT
W. FRED FLETCHER

DISTRICT OFFICES:
301 POST OFFICE BUILDING
DANVILLE, VIRGINIA 24541
TELEPHONE: 792-1280

ABBOTT FEDERAL BUILDING
103 S. MAIN STREET
FARMVILLE, VIRGINIA 2390
TELEPHONE: 392-833

COMMITTEE:
ARMED SERVICES
SUBCOMMITTEES:
MILITARY READINESS, CHAIRMAN
MORALE, WELFARE AND
RECREATION PANEL, CHAIRMAN
INVESTIGATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

January 25, 1984

200496

Mr. M. B. Oglesby, Jr.
Assistant to the President
The White House
Washington, D. C. 20500

Dear "B".

Here is a parchment document which I would appreciate your having the President and Mrs. Reagan sign. It will be used on opening day of the 1984 Olympics to show their support of our teams.

When I visited the President along with the M&M Mars people a couple of months ago I mentioned these documents to him and he asked that they be sent along for their signatures.

Thank you very much, and I shall appreciate your returning them to Vivian Anderson in my office at the earliest convenient time.

With kind regards and best wishes,

Very sincerely,


Dan Daniel

DD:va

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Gift of Book Entitled "Fluoride:
The Aging Factor"

John Yiamouyiannis, Ph.D., Acting Executive Director of the National Health Action Committee, has sent the President two copies of his book Fluoride: The Aging Factor. In his cover letter Dr. Yiamouyiannis claims that the fluoridation of public water supplies is a serious health hazard "which is currently resulting in the deaths of tens of thousands of American civilians and which is chronically poisoning over half of the population of the United States." He also claims that the U.S. Public Health Service personnel are "responsible for promoting this atrocity."

Dr. Yiamouyiannis attaches a list of 33 people who have paid him to send the President his book. He has advised the 33 that the President or a member of the White House staff will respond to them "with a serious and meaningful appraisal" of the charges made in the book.

I do not think Yiamouyiannis's letter and book raise any legal problems appropriate for the attention of this office. The gift of the two books is of nominal value and has been recorded by the Gift Unit. Yiamouyiannis's decision not to send 33 books to the President but to send the excess to other leaders does not strike me as objectionable, nor, even if it were, our office's business. Yiamouyiannis vehemently objects to a referral to the Public Health Service, so I recommend sending his letter to the President's Science Advisor, George A. Keyworth, II. The book deals with scientific questions and accordingly the problem is within Keyworth's province.

Attachment

cc: Claudia McMurray

THE WHITE HOUSE

WASHINGTON

February 15, 1984

MEMORANDUM FOR GEORGE A. KEYWORTH, II
SCIENCE ADVISOR TO THE PRESIDENT
DIRECTOR, OFFICE OF SCIENCE AND
TECHNOLOGY POLICY

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence and Book Concerning
Fluoridation of Public Water Supplies

The attached letter and books, sent to the President by John A. Yiamouyiannis, Ph.D., Executive Director of the National Health Action Committee, are forwarded to your office for whatever review and direct reply you consider appropriate. Dr. Yiamouyiannis's letter raises substantive policy and scientific questions rather than legal ones, and accordingly is more appropriately handled by your office. We have not responded to Dr. Yiamouyiannis, and have no continuing interest in this matter.

Many thanks.

FFF:JGR:aea 2/15/84

cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

PU

☐ O OUTGOING
☐ H INTERNAL
☐ I INCOMING
 Date Correspondence
 Received (YY/MM/DD) 1/1/16

Name of Correspondent: John YIANDOUYIANNIS

☐ MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Sends President book "Flouride, The Aging Factor" and list of people to whom a White House evaluation should be sent

ROUTE TO:		ACTION		DISPOSITION	
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>CDR044</u>		ORIGINATOR	<u>DD 83/12/16</u>		<u>1/1/16</u>
<u>CVAT710</u>		Referral Note:	<u>D 83/12/16</u>		<u>83/12/16</u>
		Referral Note:			
		Referral Note:			
		Referral Note:			
		Referral Note:			

ACTION CODES

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 R - Direct Reply w/Copy
 S - For Signature
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DISPOSITION CODES

A - Answered
 B - Non-Special Referral
 C - Completed
 S - Suspended

FOR OUTGOING CORRESPONDENCE:

Type of Response _____ Initials of Signer _____
 Code _____
 Completion Date _____ Date of Outgoing _____

Comments: (2 books attached)

DDI

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

WHITE HOUSE GIFT UNIT

ID: 8341357 LOGGERS INITIALS: JMT DATES: LOGGED: 831202 ARRIVED:

GIFT INTENDED FOR: PRESIDENT

CORRESPON. TRACKING:

DONOR: GENERAL PUBLIC

NAME: LAST: YIAMOUYIANNIS

FIRST: JOHN

PREFIX: DR.

SUFFIX: PH.D.

TITLE: ACTING EXECUTIVE DIRECTOR

ORG: NATIONAL HEALTH ACTION COMMITTEE

STREET: 6439 TAGGART ROAD

CITY: DELAWARE

STATE: OH

ZIPCODE: 43015

COUNTRY:

ACKNOWLEDGEMENT:

FORM:

DATE:

SALUTATION:

SPOUSE:

APPRAISED VALUE: NA

OVER-MINIMUM VALUE(O/U): U

ARRIVAL FORM: MAIL ROOM

DESCRIPTION:

BOOK - MEDICAL SCIENCES

"FLOURIDE, THE AGING FACTOR", BY THE DONOR; 2 COPIES.

DISPOSITION: OTHER

IF TEMP, DESIG FOR:

ARCHIVE BOX NUMBER:

COMMENTS BOOKS AND CORRESP. SENT TO SLR:

STAFF GIFT INFORMATION:

STAFF MEMBER:

TITLE:

GSA #:

COUNSEL APPROVAL(Y/N):

DATE:

1983 DEC 15 AM 11:40

WHITE HOUSE GIFT UNIT

ID: 8341357 LOGGERS INITIALS: JMT DATES: LOGGED: 831202 ARRIVED:

GIFT INTENDED FOR: PRESIDENT

CORRESPOND. TRACKING:

DONOR: GENERAL PUBLIC

NAME: LAST: YIAMOUYIANNIS

FIRST: JOHN

PREFIX: DR.

SUFFIX: PH.D.

TITLE: ACTING EXECUTIVE DIRECTOR

ORG: NATIONAL HEALTH ACTION COMMITTEE

STREET: 6439 TAGGART ROAD

CITY: DELAWARE

STATE: OH ZIPCODE: 43015

COUNTRY:

ACKNOWLEDGEMENT:

FORM:

DATE:

SALUTATION:

SPOUSE:

APPRAISED VALUE: NA

OVER MINIMUM VALUE(O/U): U

ARRIVAL FORM: MAIL ROOM

DESCRIPTION:

BOOK - MEDICAL SCIENCES

"FLOURIDE, THE AGING FACTOR", BY THE DONOR; 2 COPIES.

DISPOSITION: OTHER

IF TEMP, DESIG FOR:

ARCHIVE BOX NUMBER:

COMMENTS BOOKS AND CORRESP. SENT TO SLR.

STAFF GIFT INFORMATION:

* STAFF MEMBER:

TITLE:

GSA #:

COUNSEL APPROVAL(Y/N):

DATE:

1983 DEC 15 4:11:40

WHITE HOUSE GIFT UNIT

ID: 8341357 LOGGERS INITIALS: JMT DATES: LOGGED: 831202 ARRIVED:

GIFT INTENDED FOR: PRESIDENT

CORRESPON. TRACKING:

DONOR: GENERAL PUBLIC

NAME: LAST: YIAMOUYIANNIS

FIRST: JOHN

PREFIX: DR.

SUFFIX: PH.D.

TITLE: ACTING EXECUTIVE DIRECTOR

ORG: NATIONAL HEALTH ACTION COMMITTEE

STREET: 6439 TAGGART ROAD

CITY: DELAWARE

STATE: OH

ZIPCODE: 43015

COUNTRY:

ACKNOWLEDGEMENT:

FORM:

DATE:

SALUTATION:

SPOUSE:

APPRAISED VALUE: NA

OVER MINIMUM VALUE(O/D): U

ARRIVAL FORM: MAIL ROOM

DESCRIPTION:

BOOK - MEDICAL SCIENCES

"FLOURIDE, THE AGING FACTOR", BY THE DONOR, 2 COPIES.

DISPOSITION: OTHER

IF TEMP, DESIG FOR:

ARCHIVE BOX NUMBER:

COMMENTS BOOKS AND CORRESP. SENT TO SLR.

STAFF GIFT INFORMATION:

STAFF MEMBER:

TITLE:

GSA #:

COUNSEL APPROVAL(Y/N):

DATE:

1983 DEC 15 AM 11:40

THE WHITE HOUSE
WASHINGTON

2/21/84

TO:

JGR

FROM: Richard A. Hauser *RAH*
Deputy Counsel to the President

FYI:

(informal)
COMMENT: ✓

ACTION:

Bruce Fein senses a need
for an articulation of the
Reagan Admin. legal
philosophy for U.S. judges,
G.C.'s, etc. Here is his
rough draft.

REAGAN PHILOSOPHY AND LEGAL DOCTRINES FOR MANAGING ALL LEGAL
OFFICES IN THE EXECUTIVE BRANCH INCLUDING UNITED STATES ATTORNEYS

1. All litigation and internal personnel practices should unswervingly adhere to doctrines of color blindness. No preferences to be awarded in law or otherwise on the basis of race, absent proof of illegal discrimination. On the other hand, affirmative recruitment efforts should be undertaken to insure that all qualified personnel, no matter of what race or creed, have equal opportunity to compete for jobs and promotion. Racial preferences on the basis of group criteria are at war with equal protection aspirations and the Nation's time-cherished commitment to individual justice.

2. All litigation should invoke, where appropriate, challenges based on standing, jurisdiction, ripeness, absention, mootness and political questions to foreclose opportunities for judicial policymaking offensive to separation of powers doctrines. These doctrines must be revived to reduce the judicial profile in a manner envisioned by the Founding Fathers.

3. All attorneys are ethically bound to support the President's philosophies, programs, and initiatives in their roles as advocates. Attorneys should be instructed to challenge any judicial precedent that stands as an obstacle to vindicating the President's goals, unless the prospect of obtaining judicial reversal is nonexistent.

4. All attorneys should vigorously defend Executive Branch prerogatives, including Executive privilege to withhold

confidential and national security communications, the Executive power of appointment and removal, and the power to direct and harmonize administrative rules and regulations. In addition, attorneys should seek to circumscribe the independent authority of independent agencies by seeking to narrow or reverse the doctrine of constitutional independence announced in Humphrey's Executor.

5. Attorneys should presumptively smile on doctrines of federalism in the interpretation of federal statutes. This means that federal statutes should not readily be interpreted to saddle states or localities with substantial financial burdens. See, Pennhurst v. Halderman. Federal statutes should not readily be interpreted to intrude on state sovereignty in regulating state employees and functions. See, EEOC v. Wyoming; and FERC v. Mississippi. Federal criminal statutes should not readily be extended to crimes traditionally entrusted to state and local prosecutors by extravagant applications of mail fraud statutes, the Hobbs Act, certain federal criminal civil rights statutes, and the federal conspiracy statute. In sum, federal statutes should presumptively be construed to offer states and localities maximum discretion in fashioning policy consistent with the national purpose that animated Congress to act.

6. Federal attorneys should be unyielding in opposing constitutional theories of fundamental rights, suspect classifications (except for race), and procedural due process protective of statutory property or liberty interests. Implied rights of action to enforce regulatory statutes should also be


opposed. These constitutional and statutory doctrines endow the federal judiciary with unwarranted policymaking authority.

THE WHITE HOUSE

WASHINGTON

February 23, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Louis Richmond

Attached, as you requested, is a memorandum referring to the Justice Department the latest missives from the indefatigable Mr. Richmond. Since the previous Richmond material was sent to Stan Morris, this memorandum is addressed to Jay Stephens, the Acting Stan Morris.

Attachment

THE WHITE HOUSE

WASHINGTON

February 27, 1984

MEMORANDUM FOR JAY B. STEPHENS
ACTING ASSOCIATE DEPUTY ATTORNEY GENERAL
U. S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Louis Richmond

By memorandum dated January 11, 1983, this office forwarded to Associate Deputy Attorney General Stan Morris, for appropriate action, a variety of material sent to us by Louis Richmond, raising allegations concerning the management of Pershing Hall in Paris, France. Additional material sent to us by Mr. Richmond over the course of the past year has also been forwarded to the Department of Justice.

Attached are the latest form letters from Mr. Richmond. We assume that the Department of Justice is doing whatever is appropriate in response to Mr. Richmond's charges, and we have no continuing interest in this matter.

Many thanks.

FFF:JGR:aea 2/27/84

cc: FFFielding/JGRoberts/Subj/Chron

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

☐ O - OUTGOING☐ H - INTERNAL☐ I - INCOMINGDate Correspondence
Received (YY/MM/DD) 1 1Name of Correspondent: Louis Richmond☐ MI Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Continuing correspondence re: misuse
Pershing Hall, Paris France

Handwritten notes:
Memo to DOT -
reference Morris' memo
& advise DOT we
are under the assumption
that DOT is doing
whatever is necessary
(C)

Handwritten notes:
Last action
to a form letter
from Richmond,

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>WVBOU</u>	ORIGINATOR	<u>83112115</u>			<u>1 1</u>
<u>WVDT 18</u>	Referral Note:	<u>83112115</u>		<u>5</u>	<u>83112128</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>
	Referral Note:	<u>1 1</u>			<u>1 1</u>

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FOR OUTGOING CORRESPONDENCE:

Type of Response = Initials of Signer
Code = "A"
Completion Date = Date of Outgoing

Comments: Is there anything we can do to
discourage further correspondence from Richmond?
- Additional corresp. also attached

Keep this worksheet attached to the original incoming letter.

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WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

JH003

John

- ☐ O - OUTGOING
☐ H - INTERNAL
☐ I - INCOMING

Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Louis Richmond

☐ MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Pershing Hall Memorial Building
Paris, France

ROUTE TO:		ACTION		DISPOSITION	
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CUTOU</u>		ORIGINATOR	<u>DD 84102101</u>		<u>1 1</u>
<u>CWAT 18</u>		Referral Note:	<u>cont. corresp.</u>		
			<u>A DD 84102101</u>		<u>1 1</u>
		Referral Note:			
			<u>1 1</u>		<u>1 1</u>
		Referral Note:			
			<u>1 1</u>		<u>1 1</u>
		Referral Note:			
			<u>1 1</u>		<u>1 1</u>
		Referral Note:			
			<u>1 1</u>		<u>1 1</u>

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- Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: lots of previous correspondence!

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THE WHITE HOUSE

WASHINGTON

February 27, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Takeover by Texaco of Getty Oil
and Finder's Fee to Grant MacDonald

By memorandum dated February 6, 1984, we referred this entire matter to FTC General Counsel John H. Carley, noting that we had no further interest in the matter. We so advised Mr. MacDonald, by letter dated February 6, 1984. Accordingly, we should not reply to MacDonald, but simply refer the latest incoming to John Carley.

Attachment

THE WHITE HOUSE
WASHINGTON

February 27, 1984

MEMORANDUM FOR JOHN H. CARLEY
GENERAL COUNSEL
FEDERAL TRADE COMMISSION

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

SUBJECT: Takeover by Texaco of Getty Oil
and Finder's Fee to Grant MacDonald

By memorandum dated February 6, 1984, this office referred to you correspondence from Mr. MacDonald, in which Mr. MacDonald claimed he was entitled to a finders fee in connection with the Getty-Texaco merger. Attached is additional correspondence received from Mr. MacDonald on this same subject.

Many thanks.

FFF:JGR:aea 2/27/84
cc: FFFielding/JGRoberts/Subj/Chron

WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name

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2 LETTER

1 8/16/1977 B6

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HESSLER, STRAMER & ELSEER TO GRANT
MACDONALD RE CIVIL CASE

Freedom of Information Act - [5 U.S.C. 552(b)]

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Texaco takeover may have overlooked FIRA clout

By PAUL TAYLOR

When the top executives of Texaco Inc. of White Plains, N.Y.,

decided to make their \$10-billion (U.S.) takeover bid for Getty Oil Co. of Los Angeles, they probably were not concerned about what the Canadian Government might think of the deal.

As one Texaco spokesman put it: "We really haven't had time to examine all the ramifications of our offer. Everything has happened so fast."

But, eventually, Texaco will have to seek the approval of the federal Cabinet and the Foreign Investment Review Agency because some of Getty's oil and gas assets are in Canada. In the past, FIRA has insisted there must be some benefit to Canada before approving a takeover by foreign interests.

Observers believe

Texaco should be able to reach some sort of agreement with Ottawa. There is, however, a risk that the takeover could be delayed by the need to obtain FIRA's approval.

"And if this deal is held up, it would represent a classic case of the fail wagging the dog," said Denis Mote, an analyst with the Montreal-based investment firm of Levesque

Beaubien Inc. Getty's Canadian assets are small when measured against the total size of the corporation. Getty's Canadian holdings include 100 per cent of Canadian Reserve Oil and Gas Ltd., a Calgary-based oil and gas company that is worth between \$600-million and \$1-billion.

The company produces about 12,000 barrels of crude oil and 30 million cubic feet of natural gas a day from properties in Alberta, British Columbia and Saskatchewan.

almost three years to get FIRA approval and another few months to complete the merger.

At the time it obtained FIRA's permission for the takeover, Getty promised it would spend a specific amount on exploration and development in Canada over an extended period of time. It also promised to sell half of the subsidiary to Canadian investors within five years.

Texaco will have to follow through with these commitments if it is successful in its bid for Getty Oil. There is a good chance it will have to meet additional Canadianization commitments.

Analysts said Texaco has several options. For instance:

□ Texaco could try to sidestep potential problems with FIRA by selling Canadian Reserve to a Canadian company or group of investors.

□ It might try to sell Canadian Reserve to

ever. In particular, there are not many Canadian companies or investors that can afford or are willing to pay top dollar for oil and oil gas properties at this time," said Peter Carpenter, an analyst with McLean McCarthy and Co. Ltd. of Toronto. As a result, Texaco could have a hard time finding a buyer for Canadian Reserve.

As well, Texaco might be extremely reluctant to increase its level of Canadian ownership in Texaco Canada. "Texaco has always kept a tight rein over its subsidiaries. So it would be very unlikely Texaco to agree to give up some of its control over Texaco Canada," said Mr. Carpenter.

Texaco itself said it has not yet decided what it is going to do. As a Texaco spokesman explained: "It's much to early for us to have reached any decisions."

Getty Postpones Reserve Oil Acquisition So It Can Review Firm's Business Affairs

By a WALL STREET JOURNAL Staff Reporter
LOS ANGELES—A last-minute hitch has developed in the proposed \$620 million acquisition of Reserve Oil & Gas Co. by Getty Oil Co.

The transaction, proposed in October, was supposed to be completed next Tuesday. But Getty issued a brief statement in which both companies said the closing was tentatively rescheduled for Jan. 23, pending completion of a Getty review of Reserve's business affairs.

Neither company would elaborate, although Getty issued a second statement at the request of the New York Stock Exchange. In the second release, Getty said it sought the delay under terms of the acquisition agreement and that Reserve, based in Denver, had consented.

Various Speculations

Sources close to the situation indicated that Reserve was surprised by the Getty request and that, at least initially, Reserve didn't know the reasons behind it. "As it's only an eight-day delay, it could be that Getty or its advisers have been slowed in getting all the paper work done, or it could be more serious," said one New York investment banker.

Although most financial analysts who follow one or both of the companies believe the acquisition will go through, they offered various possible reasons for the delay. Both Getty and Reserve spokesmen declined to comment on any speculation that the acquisition mightn't be completed that Getty had found something disturbing or questionable in its initial review of Reserve's affairs.

Getty made its acquisition bid only after Reserve had definitively agreed to be acquired by Denison Mines Ltd. of Toronto. That transaction was valued at about \$325 million, \$103 million less than the subsequent Getty bid. Getty's offer was conditioned on

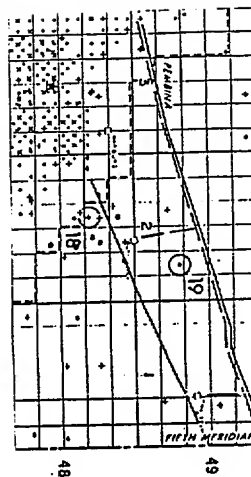
Denison dropping its bid, which it did in return for a \$10 million payment in consideration of the termination. Reserve holders approved the Getty acquisition Dec. 28.

Major Contingency or Exposure

"I would think that something pretty serious has developed, maybe some sort of major contingency or exposure, for Getty to take this action at this time," said one oil-industry analyst.

"Everyone on Wall Street thought this was a done deal," added an investment banker. "But what often happens in a situation like this is that in the continual evaluation of properties and reserves one company's engineers come across some figures that they disagree with, and the evaluation time is stretched out."

Another analyst who follows the companies said he always thought Getty's offering price was overly generous. "But if something really serious is happening, the fact that there was another bidder puts a floor on how much the price could drop, so the holders wouldn't be hurt very much," he said.



FORTUNE June 16, 1980

Getty recently snapped up Denver's Reserve Oil & Gas for \$620 million.

620,000,000

***** NEW *****

FEB. 8, 1980 - NEW CHAIRMAN:

Paul E. Carlton has been appointed chairman and chief executive officer and a director of the company. He succeeds John R. McMillan as chairman and Paul D. Meadows as chief executive officer.

BOARD CHANGE:

John R. McMillan, Paul D. Meadows and Cortland S. Dietler have resigned as directors.

Ron W. Blair and Joe R. Dundas have been appointed to the board.

PARENT MERGED:

Effective Jan. 23, 1980, the parent company, Reserve Oil and Gas Company has reportedly been merged into Getty Oil Co.

As a result of the merger, Getty Oil is now reported to hold approximately 86% of Canadian Reserve which will continue as an independent Canadian public company.

GLOBE AND MAIL, JULY 30, 1983

Canadian Reserve merger gets minority approval

Reserve's amalgamation approved

Minority shareholders of Canadian Reserve Oil and Gas Ltd. approved the previously proposed amalgamation with Getty Oil (Canada) Ltd., a unit of Getty Oil Co. of Los Angeles.

—Page B2

Minority shareholders of Canadian Reserve Oil and Gas Ltd. of Calgary, at a special meeting, approved the previously proposed amalgamation with Getty Oil (Canada) Ltd., a unit of Getty Oil Co. of Los Angeles.

As reported, minority Canadian Reserve holders will receive from Getty Oil \$26 for each share held for a total of about \$40-million.

Canadian Reserve is about 86 per cent owned by Getty Oil.

The company created by the amalgamation

will retain the name Canadian Reserve Oil and Gas Ltd.

John

THE WHITE HOUSE

WASHINGTON

March 19, 1984

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Enrolled Bill S. 47 --
Shipping Act of 1984

Richard Darman has asked for comments by noon today on the above-referenced enrolled bill. This major legislation is the product of the Administration's effort to reform regulation of the merchant marine. The bill would increase the authority of the shipping conferences, which set prices and allocate routes and cargoes. The bill would clarify and expand the antitrust immunity enjoyed by the conferences, and expedite review of conference schedules by the Federal Maritime Commission (FMC). Filed schedules will go into effect within 45 days unless blocked by the FMC because they contain specified illegal provisions, such as boycotts. The FMC may sue to block a conference agreement as anticompetitive, but must prove that the effect of the reduction in competition will be an unreasonable reduction in service or increase in cost.

Among the other provisions in the bill of particular interest, section 9 empowers the FMC to suspend tariffs filed by shippers on the ground that they are unjust and unreasonable. Any such order suspending tariffs is to be sent to the President, who has ten days to demand a stay of the order for reasons of national defense or foreign policy, which reasons must be specified. During the stay, the President is to attempt to resolve the matter through negotiations. The contemplated procedure is not unlike Presidential review of CAB orders, and we will want to consider establishing internal procedures for review of FMC orders similar to those in effect for review of CAB orders. If you agree, I will contact the FMC to discuss the matter.

*Good idea -
pls proceed*

Section 18 of the bill would establish, in 5½ years, an Advisory Commission on Conferences in Ocean Shipping, to review progress under the Act. The Advisory Commission would be composed of a cabinet level officer appointed by the President, 8 members from the private sector appointed by the President, 4 members from the Senate appointed by the President pro tempore, and 4 members from the House appointed by the Speaker. Although the Advisory Commission will have the power to issue subpoenas, its responsibilities are limited to conducting a study and making recommendations.

This mitigates any Appointments Clause problems, and OMB reports that Justice has no objections. Private sector members of the Advisory Commission are exempted from 18 U.S.C. § 208, which underscores the purely advisory nature of the commission.

Transportation has submitted a draft signing statement, praising the bill for removing regulatory burdens and bringing United States shipping practices more in line with those prevailing in the rest of the world. The statement also thanks the members of the pertinent Congressional committees, the broad coalition of supporters from the shipping industry, Drew Lewis and Elizabeth Dole, FMC Chairman Punch Green, and Maritime Administrator Hal Shear. There has been some publicity recently concerning Shear's receipt of a severance payment when he entered government service. Larry Garrett advises me that he, OGE, and Transportation have all reviewed the matter and determined that there was no impropriety. Under the circumstances, I have no objections to including Shear in the list of people responsible for the successful passage of this broad legislative package.

All affected agencies either recommend approval or have no objection. I have reviewed the memorandum for the President submitted by David Stockman, the bill itself, and the draft signing statement, and have no objections.

Attachment